

A63-4779 & A63-3068
POD map.
6-14-2001

F O

T

D

Crooked Summit

Spring

Karney Lakes

Creek

Creek

Karney

A63-3068

A63-4779

X 4782

X 4479

X 4752

14

13

15

e

A63-4779
T04N, R03E, S13&S24
P04

Gulch

X 4479

4366

4000

4113

4000

NWSE

24

Karney
Lakes

Creek

X 4732

4200

4684

4000

A63-4779

PHOTOS TAKEN 06/14/2001



PHOTO #1
POD AT LOWER
SPRING AND NEW
COLLECTION BOXES
TO BE INSTALLED



PHOTO #2
EXISTING
COLLECTION BOX AT
LOWER SPRING

A63-4779

PHOTOS TAKEN 06/14/2001



PHOTO #3
STORAGE TANK SITE

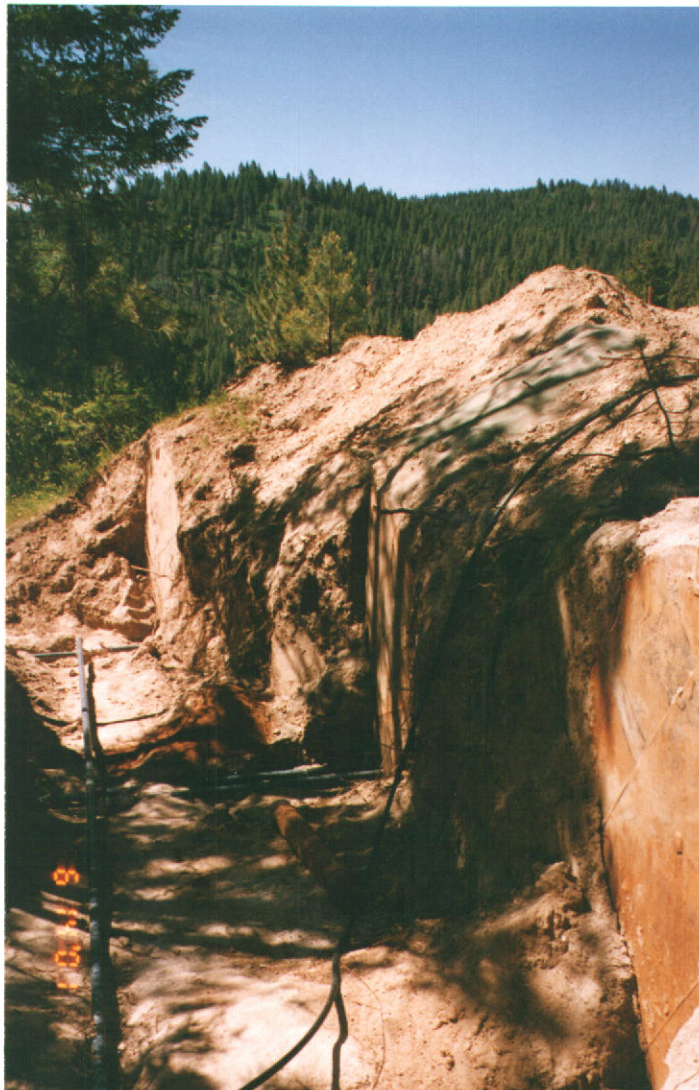
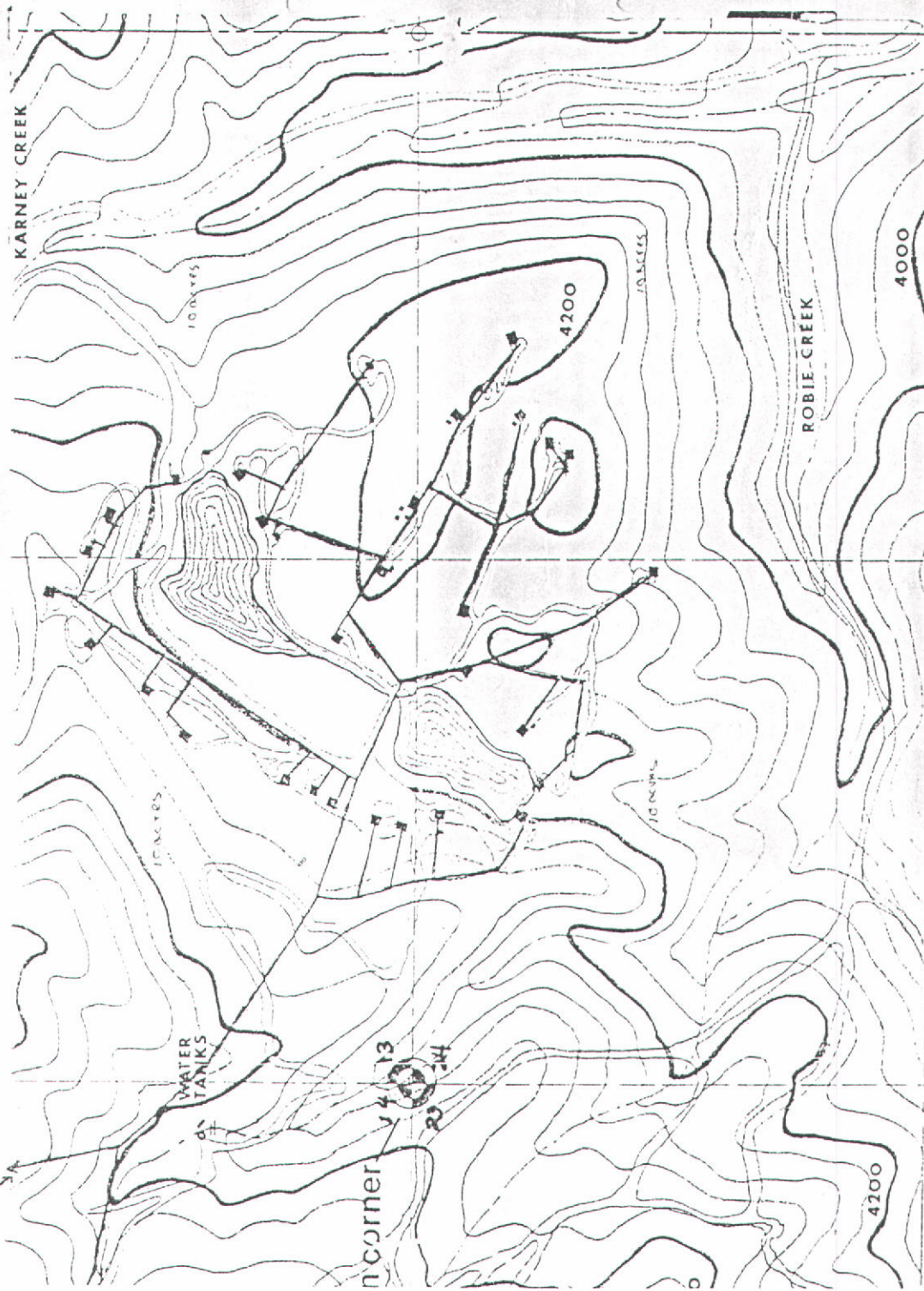


PHOTO #4
THREE TANKS USED
TO STORE THE SPRING
WATER

PIPELINE TO
SPRINGS IN NESE SEC 14 4N3E



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-4779
Date Received: 5/19/89
Receipt No: C006964
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KARNEY LAKES CLUB INC Phone: (208)375-1124

C/O GAIL KIRGIS TREASURER
1809 N 24TH ST
BOISE ID 83702

2. Date of Priority: 01/01/1932

3. Source: SPRINGS Trib. to: ROBIE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	03E	14	NE SE	BOISE	

5. Description of diverting works:

COLLECTION BOXES & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	1/01	12/31	0.25	

7. Total Quantity Appropriated is:
0.25 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
04N	03E	13	SE SW	DOMESTIC	
			SW SW	DOMESTIC	

04N

03E 24

NW
NE

NW
NW

DOMESTIC
DOMESTIC

11. Place of use in counties: BOISE

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Statutory Claim

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
Title

_____, that I have signed the foregoing
Organization
document in the space below as _____ of
Title

_____, and that the statements contained in the
Organization
foregoing document are true and correct. _____

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-04779
Date Received: 5/19/1989
Receipt No: C006964
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KARNEY LAKES CLUB, INC. 208-375-1124
Address: C/O LAVAR WARD, PRES.
7224 EL CABALLO DR.
BOISE, ID 83704

2. Date of Priority: JAN 01, 1932

3. Source: SPRINGS Trib. to: ROBIE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	03E	14	NE	SE			BOISE

5. Description of diverting works:
COLLECTION BOXES & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.250		

7. Total Quantity Appropriated is:
0.250 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC FOR 30 CABINS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	03E	13	SW	SW		DOMEST	
			SE	SW		DOMEST	

A63-04779

Page 1

Date: 05/19/89

MICROFILMED

AUG 20 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	03E	24	NE		NW		DOMEST	
			NW		NW		DOMEST	

11. Place of use in counties: BOISE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

AUG 20 1992

IDAHO DEPARTMENT OF WATER RESOURCES 12/04/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

63-4779

NAME AND ADDRESS: KARNEY LAKES CLUB INC
C/O ROY ARNOLD, TREASURER
2323 SPRING MOUNTAIN DR
BOISE ID 83702

SOURCE: SPRINGS TRIBUTARY: ROBIE CREEK

QUANTITY: 0.25 CFS

PRIORITY DATE: 01/01/1932

POINT OF DIVERSION:

T04N R03E S14 NWNESE Within BOISE County

T04N R03E S14 SENESE Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.250 CFS

PLACE OF USE: DOMESTIC Within BOISE County

T04N R03E S13	SWSW	T04N R03E S13	SESW
T04N R03E S24	NENW	T04N R03E S24	NWNW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Statutory Claim

DOMESTIC FOR 30 CABINS
PARCEL NOS. RP 04N03E136050 & RP 04N03E242450

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)**

CLAIM NO(s). 463-4779

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☐ No Change ADDRESS
☒ NEW ADDRESS: See affidavit dated 10-10-2001
2. ☒ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: 1-1-1933.
(If the priority date, based on your exam, seems questionable, explain below.)

Affidavit dated 10-10-2001. Also, the organization has a lot of documentation relating to its establishment and history if needed.

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION (2)
☐ Point of diversion is different than the claim and/or new P/D's:

Township 4N Range 3E Section 14 1/4 NW 1/4 NE 1/4 SE
Township 11 Range 11 Section 11 1/4 SE 1/4 NE 1/4 SE

5. ☐ No Change - DESCRIPTION OF DIVERTING WORKS
☒ Incomplete description, list below:

See attached description of the domestic system. The springs were ~~at~~ flowing way below capacity due to drought conditions according to Joe Harvey, caretaker, and Jerald Ward, past president who assisted in the field exam

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☐ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☐ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: 30 Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) See additional attachment

An accurate measurement wasn't possible due to the drought.

Assisted by Joe Harvey and Lavar Ward.

C18, N11, Exp-parcel #'s.

☒ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 6-14-2001

FIELD EXAMINER: _____

Print Name

Mel Schulte

Signature

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that BARNEY LAKES CLUB, an Idaho non-profit corporation,
(name of claimant)
of c/o Idaho City Stages, Boise, Idaho 83706, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) six small springs in close proximity to each other (shown on map), tributary to, Robie Creek
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount	<u>20/100 cfs</u>	Use	<u>domestic</u>	Period of Use:	From	<u>January 1</u>	To	<u>December 31</u>
Amount		Use		Period of Use:	From		To	
Amount		Use		Period of Use:	From		To	
	(cfs, gpm or all)		(dom, ind, stock, etc.)					(both dates inclusive)

- (3) Total quantity of water claimed: 20/100 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) 1932

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NE 1/4, Sec. 14, Twp. 4N, Rge. 3E, B.M. County of Boise, Idaho
Additional points of diversion: _____

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities, be as specific as possible. See statement attached

- (6) A) Water to be used by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not to be made, place an "X" in appropriate box to show location.

			NW 1/4				SW 1/4				SE 1/4				TOTAL
			NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	
1	20	20													
2	20	20													
3	20	20													
4	20	20													
5	20	20													
6	20	20													
7	20	20													
8	20	20													
9	20	20													
10	20	20													
11	20	20													
12	20	20													
13	20	20													
14	20	20													
15	20	20													
16	20	20													
17	20	20													
18	20	20													
19	20	20													
20	20	20													

Total No. of acres _____

- B) If use is not for other than irrigation, fully describe that use, being as specific as possible:
See statement attached

- (7) If use is as a member of an organization, list name of organization:
Barney Lakes Club, an Idaho non-profit corporation, for use by its members on the real property owned by Barney Lakes Club.

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

[illegible]

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

He it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Kenneth Lakes Club by _____

Kanney Lakes Club by
Robert S. Wright, President

Residing at Boise, Idaho

For Department Use Only

Received by WFB Date 23 Mar 81 Exception filed by: _____ Forwarded to _____ Date _____
 Examined by WFB Date 24 Mar 81 claimant by: _____
 \$100 fee received by WFB Date 23 Mar 81 _____
 Approved for publication by WFB _____
 Published in WFB _____
 Dates 4/21 - 4/28/81 _____

A63-4779 & A63-3068
POD map.
6-14-2001



A63-4779

T04N, R03E, S13&S24

P04

A63-4779

Description of domestic water system

STATEMENT re 5-B.

The six springs are all located in an unnamed draw that leads southerly to Rooie Creek. Four of the six springs have small collection boxes that divert the spring waters through one-inch metal pipelines to the lower spring. From the lower spring the water is transported through a four-inch plastic pipeline a distance of approximately a quarter of a mile to two 10,000 gallon metal storage tanks shown on the map. From the storage tanks the water is distributed through a series of 1½-inch metal pipe to various major distribution points in the area adjacent to the 29 cabins located around Karney Lakes. From these major distribution lines, ¾-inch metal pipes extend to each of the 29 cabins furnishing the domestic water supply for each cabin. The maps attached show the location of the springs, the pipeline leading to the storage tanks, the distribution system from the tanks and the individual pipelines leading to the cabins. The waters from the springs are for the domestic use of the cabin owners only. Karney Lakes Club owns the real estate on which the springs, the diversion works, storage tanks, distribution system, and summer homes are located. The lakes are supplied by water diverted from Karney Creek by means of an open ditch. Karney Lakes Club now has a permit for the use of the waters of Karney Creek to supply the lakes then flow back into Karney Creek.

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))
_____)
_____)
_____)
State of Idaho)
County of _____)

AFFIDAVIT

RECEIVED

OCT 11 2001

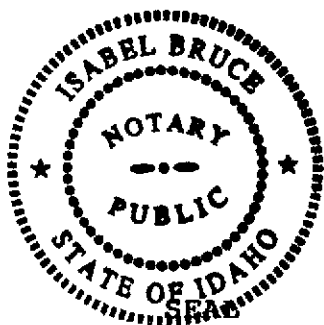
WATER RESOURCES
WESTERN REGION

Roy Arnold being first duly sworn,

deposes and says: I have received your letter concerning
Water Right Claim # 63-4779 and also a print out of the claim.

Karney Lakes Club members have been using ground water
obtained from springs on the property domestically since
01-01-1932. If there is something further we need to do
please call me at 345-2762.

Please change our address on your records to Karney Lakes Club
c/o Roy Arnold, Treasurer 2323 Spring Mountain Dr.
Boise, Idaho 83702



Roy D. Arnold
(Signature)

Subscribed and sworn to before me this
day 10th of October, 15 2001.

Isabel Bruce
(Notary Public)

Residing at Boise, Idaho.

My Commission Expires 07/02/07.

A63-4779

PHOTOS TAKEN 06/14/2001

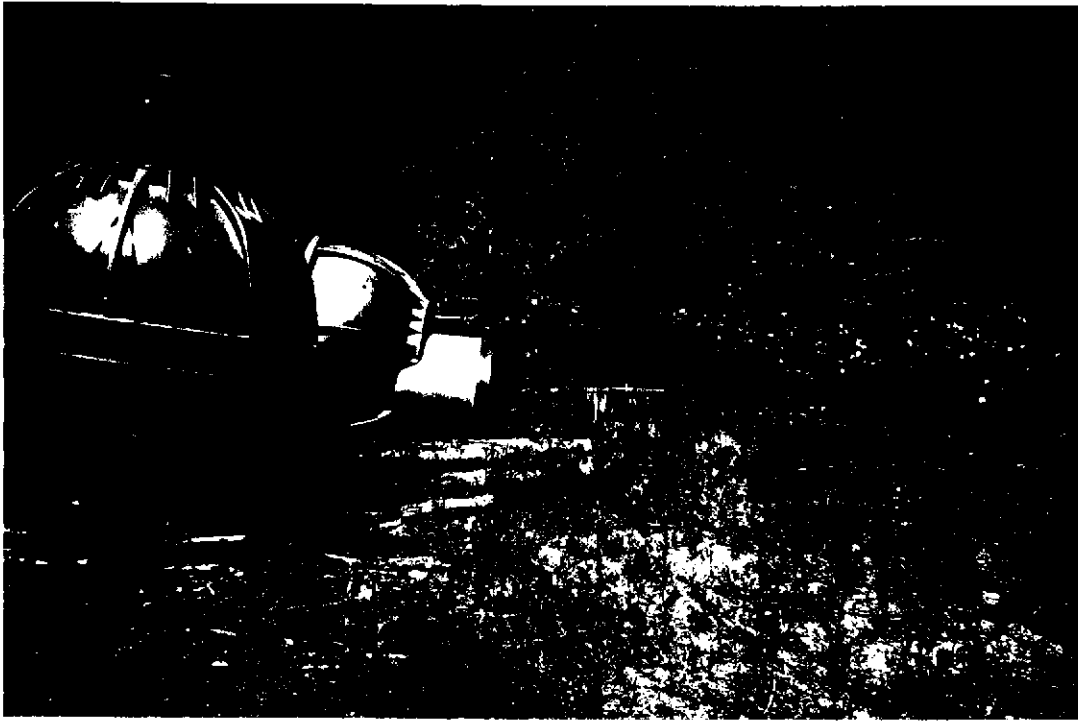


PHOTO #1
POD AT LOWER
SPRING AND NEW
COLLECTION BOXES
TO BE INSTALLED



PHOTO #2
EXISTING
COLLECTION BOX AT
LOWER SPRING

A63-4779

PHOTOS TAKEN 06/14/2001



PHOTO #3
STORAGE TANK SITE



PHOTO #4
THREE TANKS USED
TO STORE THE SPRING
WATER

SUPPLEMENTAL STATEMENT re 8.

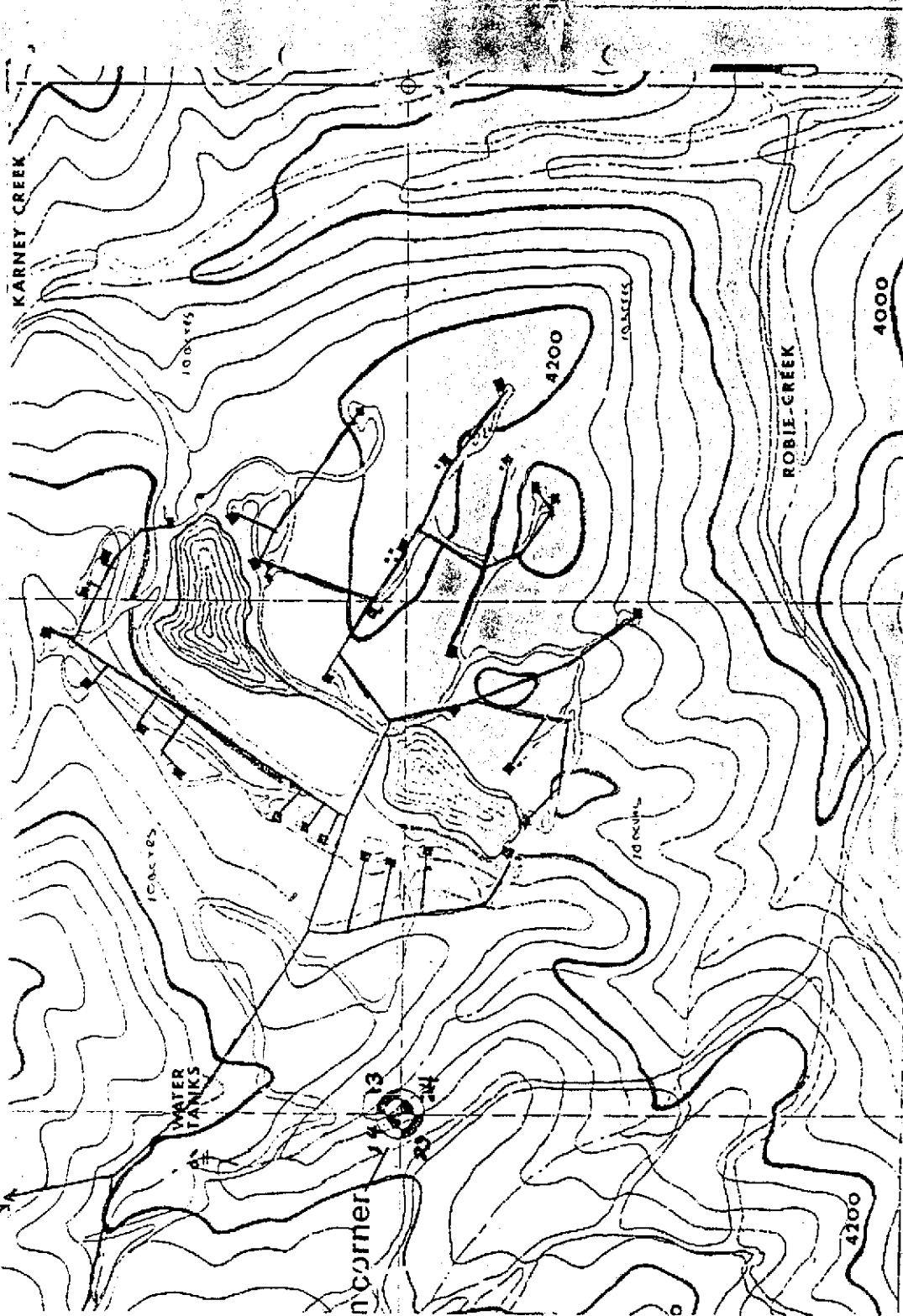
Karney Lakes Club was incorporated as a non-profit Idaho corporation on September 6, 1928. Membership certificates are issued to members entitling them to own one cabin or summer home and share equally in the real estate holdings and other properties owned by the corporation. In 1929, the club purchased 100 acres of the land it now owns, including appurtenant water rights. The land had previously been farmed with a portion, suitable therefor, being irrigated.

Immediately following the land purchase the club members commenced building summer homes and constructed the original water system from some of the springs that are covered by this claim of water right. The original system has been repaired, replaced and enlarged as additional homes were built. While some of the original homes have been rebuilt or remodelled, there have been no additional homes built since 1943. The original water storage tank constructed by concrete was replaced about 1940 by a wooden tank. This wooden tank was supplemented about 1950 with one 10,000 gallon metal tank and a second 10,000 gallon metal tank was added about 1970. The wooden tank has since been dismantled.

There have been no extensions of the water system since 1940 except pipe replacements, adding of storage capacity, improving the collection boxes at the springs and developing two additional springs to add to the system. Even with these improvements, the club has suffered water shortages in dry years, particularly in 1977.

The springs do not provide a sufficient supply of water to maintain a stream of water in the mountain draw in which they are located to reach Robie Creek. The Club diverts and uses the entire water supply from the springs, which as previously stated has from time to time been insufficient to furnish the cabins with a constant supply of water.

PIPELINE TO
SPRINGS IN NESE SEC 14 4N3E



11:00 am - 6-14-01 Laver Ward:

5 $\frac{1}{2}$ miles from store on Robt G. Rd to
Kearney Loop Road - proceed to

Keep Idaho Green ^{sign} - left to gate

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: SEP-5-1997

PAGE: A-6

RIGHT NUMBER: 63-04779

NAME & ADDRESS: KARNEY LAKES CLUB INC
C/O ~~LARRY WARD PRES~~ *Gail Kirgis, Treasurer*
~~7224 EL CABALLO DR~~ *1809 N. 24th St.*
BOISE ID ~~83704~~ *83702*

SOURCE: SPRINGS TRIBUTARY: ROBIE CREEK

QUANTITY: 0.25 CFS

PRIORITY DATE: 01/01/1932

POINT OF DIVERSION: T04N R03E S14 NESE Within BOISE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC DOMESTIC FOR 30 CABINS	01-01 12-31	0.25 CFS

PLACE OF USE:	DOMESTIC	Within BOISE County
<i>04N03E136050</i>	T04N R03E S13 ✓	SWSW ✓ SESW ✓
<i>04N03E242450</i>	S24 ✓	NENW ✓ NWNW ✓

EXPLANATORY MATERIAL: BASIS OF CLAIM - STATUTORY CLAIM

Verified by *Shinsky* Date: *10-6*
Verification Source: *Computer*



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 15, 2001

KARNEY LAKES CLUB INC
C/O GAIL KIRGIS TREASURER
1809 N 24TH ST
BOISE, ID 83702

Re: Claim No(s). 63-4779

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water ~~rights within the Snake River Basin as accurately as possible. Field exams to verify~~ claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by **October 15, 2001**, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

JS:lh
Enclosures